

Remarks

Applicants hereby amend certain of the claims to address minor informalities. Regarding claim 1, the word “the” is added to make reference to an antecedent element and for consistency with other claims having similar language. Regarding claims 1, 2, 3, 6, 10, 15, and 26, the term “light source” is replaced with the more conventional “at least one light source.” It is believed that the amendments regarding the light source element do not affect the scope of the claims and does not relate to the Examiner’s stated reasons for allowance. The “at least one light source” language better sets forth the invention. For example, the readability and clarity of dependent claim 6 is improved with the “at least one light source” language. Claim 35 is amended to address an antecedent basis informality.

The Examiner will note further that new dependent claims 41-48 are added. The section of the MPEP relating to Amendments after Allowance suggests that a more lenient standard should be applied in determining whether to enter a dependent claim amendment. “Where claims added by amendment under 37 C.F.R. §1.312 are all of the form of dependent claims, some of the usual reasons for non-entry are less likely to apply although questions of new matter, sufficiency of disclosure, or undue multiplicity could arise.” 37 C.F.R. §1.312. Accordingly entry of new dependent claims 41-48 is respectfully requested.

Claims 41-47 recite different variations of elements recited elsewhere in the claims. Claim 48 recites a specific structure described in the specification.

On careful further review of the specification prior to payment of the issue fee, applicants have noted that while skilled artisans will recognize that the circuit of Fig. 1f can control aiming LEDs, the disclosure related to Fig. 1f correlates LEDs 122 with LEDs 16. At the same time, the “light source” recited in the claims is clearly intended to be supported by either the illumination light source or an aiming light source described in the specification (see claim 2 reciting that the light source can project an aiming line). The amendments

regarding the control circuit's connection to and control of a light source are presented for purposed of bringing the claims into closer conformity with the written description.

Applicants note that consideration of an amendment under 37 C.F.R. §1.312 cannot be demanded as a matter of right. However, where amendments of the type noted are shown (A) to be needed for proper disclosure or protection of the invention, and (B) to require no substantial amount of additional work on the part of the Office, they may be considered and, if proper, entry may be recommended by the primary examiner. See *MPEP* §714.

Regarding (A) above, the proposed amendments are required for proper protection of the invention at least in that the proposed amendments, as stated will bring the claims in closer conformity with the written description. Regarding (B) above, the proposed amendments should require no substantial amount of additional work on the part of the Office. An Examiner's search should cover the claimed subject matter. *MPEP* §904.02. Because the proposed amendments do not add any combinations of elements not previously searched, the proposed amendments should not require additional searching.

Also, applicants respectfully assert that the proposed amendments should not require additional examination since it is believed that the evidence provided thus far by the Examiner, gathered pursuant to a search for the various combinations that remain recited in the claims, and consideration of additional references of record, would not be sufficient to sustain a case of *prima facie* obviousness as to any claim amended as presently proposed. Further the proposed amended claims are believed to be allowable in that they recite combinations of elements not disclosed or suggested in the prior art. The proposed amendments were not presented earlier since the review yielding the determination that the amendment would be desirable was not complete until after the close of prosecution.

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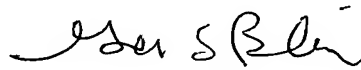
If the Examiner believes that contact with applicants' attorney is necessary the Examiner is herein requested to call applicants' representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Respectfully submitted,

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